

Appl. No.: 09/852,630
Amdt. dated 04/24/2006
Reply to Office action of December 28, 2005

REMARKS/ARGUMENTS

In the Office Action dated December 28, 2005, Claims 1-4, 6, 8-9, 12-15, 17, 19-20, 23-26, 34-36, and 49 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,347,218 to Fuhrmann et al. (“Fuhrmann”) in view of U.S. Patent No. 6,490,436 to Kaiwa et al. (“Kaiwa”). Claims 5, 16, 27-33, and 37-48 were rejected under 35 U.S.C. § 103(a) as being obvious over Fuhrmann in view of Kaiwa and further in view of U.S. Patent No. 6,430,400 to MacDonald, Jr., et al. Claims 10-11 and 21-22 were rejected under 35 U.S.C. § 103(a) as being obvious over Fuhrmann in view of Kaiwa and further in view of U.S. Patent No. 4,719,322 to Guzik et al. In response to the Office Action, Applicants have amended independent Claim 1 and dependent Claims 2, 6, 8-11, and 49. In an effort to clarify the issues, Applicants have cancelled dependent Claims 13-48 without disclaimer or prejudice. As explained below, Applicants respectfully submit that the claimed invention of amended independent Claim 1, and by dependency Claims 2-6, 8-12, and 49, are patentably distinct from the cited references, taken either alone or in combination. As such, Applicant respectfully requests reconsideration and allowance of all of the pending claims of the present application.

Independent Claim 1 has been amended to clarify the distinction over the cited art and to make the claim more readable. Specifically, many of the changes relate to removing the “means” terminology from the claims. Independent Claim 1 now recites a compression biased urging mechanism, wherein the compression biased urging mechanism is arranged to be in resilient compression to store energy when the formation and complementary formation are coupled and to automatically urge the first and second housings away from each other when the coupling of the formation and the complementary formation are released by releasing energy stored in the compression biased urging mechanism. The specification provides two examples of the compression biased urging mechanism. One example describes a leaf spring 37 coupled to the inside of one of the housings for providing spring bias between two housings. *See* page 6, lines 17-25; FIGS. 4a and 4b; Claims 8 and 9. The other example describes a rubber seal coupled to one of the housings and located between two housings to urge the two housings away from each other. *See* page 7, line 30; Claims 10 and 11.

None of the cited references, alone or in combination, teach or suggest the compression biased urging mechanism of independent Claim 1. Although Kaiwa does describe a mechanism for urging the battery pack away from the front casing when the slide knob **20** is used to unlock the battery back (*See FIGS. 2 and 7*), Kaiwa does not describe a compression biased urging mechanism.

As independent Claim 1 of the present invention describes, “the compression biased urging mechanism is arranged to be in resilient compression to store energy when the formation and complementary formation are coupled and to automatically urge the first and second housings away from each other when the coupling of the formation and the complementary formation are released by releasing energy stored in the compression biased urging mechanism.” In other words, energy stored in the compression biased urging mechanism can be used to urge the first and second housings apart. Thus, actuating the element of the claimed invention not only to releases the coupling holding the first and second housings together, but also allows the first and second housings to be urged away from each other by the compression biased urging mechanism. In contrast to the claimed invention, the urging mechanism of Kaiwa is a slide knob **20** that has a protrusion **22**. When the user slides the slide knob **20** away from the battery, the protrusion **22** comes into contact with a protrusion **70** on the underside of the battery and thereby forces the battery away from the front casing. In other words, in Kaiwa, in order to lift the front end of the battery away from the casing, the user must apply his or her own energy to force protrusion **22** under protrusion **70**. Kaiwa does not describe an urging mechanism that is resiliently compressed to store energy, wherein when the coupling is released the stored energy is released to urge the first and second housing away from each other, as recited by independent Claim 1. Since neither Kaiwa, nor any of the cited references, teach or suggest the compression biased urging mechanism of amended independent Claim 1, the rejection of Claims 1-6, 8-12, and 49 has been overcome.

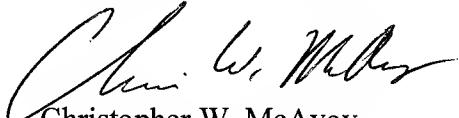
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Conclusion

In view of the remarks and amendments presented above, it is respectfully submitted that the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Christopher W. McAvoy
Registration No. 57,055

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Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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